

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.* State Engineer,  
Plaintiff,

69cv07896-BB  
RIO TAOS ADJUDICATION

- v -

EDUARDO ABEYTA, *et al.* &  
CELSO ARELLANO, *et al.*,  
Defendants.

69cv07939-BB  
RIO HONDO ADJUDICATION  
Consolidated

Section: Rio Pueblo de Taos  
Ditch: Cortez and Sisneros Ditch

ORDER APPLYING PRIORITY DATE FOR CORTEZ  
AND SISNEROS DITCH TO INDIVIDUAL SUBFILES

In the May 13, 2002 Memorandum Opinion and Order (Docket No. 3026), the Court clarified procedures for determining subfile priority dates and stated that acequia-wide priority dates are to be applied to the water rights they serve. Each claimant has had an opportunity to prove an earlier priority date during the subfile phase and objectors will have the opportunity to prove later priority dates during the *inter se* phase. (No. 3026) On February 21, 2003, the Court entered a Memorandum Opinion and Order (No. 3102) that adopted a priority date of 1805 for the Cortez and Sisneros Ditch.

This Order applies the priority date adopted for the Cortez and Sisneros Ditch to each subfile irrigation water right it serves. The acequia-wide priority date does not apply to supplemental irrigation wells or springs, nor does it apply to individual subfile water rights previously denied by the Court. All water right claims denied have a priority date of "None." Subfile priority dates are listed in Exhibit A attached to this Order.

It is therefore ordered that the 1805 priority date adopted for Cortez and Sisneros Ditch is applied to individual subfile water rights as set forth in Exhibit A.



BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

**EXHIBIT A**  
**CORTEZ AND SISNEROS DITCH**

Individual Subfile Priority Dates	
Subfile Number	Priority Date
13.28	1805
13.29	1805
13.30	1805
13.31	1805
13.32	1805
13.33	1805
13.34	1805